IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

Crl.Rev.Pet.No. 4177 of 2007()

C.C. NO. 332 OF 1998 OF CJM, KOLLAM
CRA. NO. 345 OF 2002 OF ADDL. DISTRICT & SESSIONS COURT, ADHOC - III, KOLLAM

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

MANIYAN PILLAI,
PROPRIETOR, MARI ENTERPRISES,
DEVAKI MANDIRAM, MEENATHU CHERRY,
SAKTHIKULANGARA.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS: COMPLAINANT AND STATE
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1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. R.BALAKRISHNA PILLAI,
PRASANTHI, ELAMKATH,
MANIYIKULANGARA, KOLLAM.

BY PUBLIC PROSECUTOR SRI.C.M. NAZAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4177 of 2007

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Dated: 21-11-2007

ORDER

The accused in C.C. No. 332 of 1998 on th**e file** of the Chief Judl. Magistrate, Kollam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12323 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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